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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,150	02/16/2001	Rocky Stewart	BEAS-01033us0 SRM/KFK	4298
23910	7590	10/12/2005	EXAMINER DUONG, OANH L	
FLIESLER MEYER, LLP FOUR EMBARCADERO CENTER SUITE 400 SAN FRANCISCO, CA 94111			ART UNIT 2155	PAPER NUMBER

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/788,150

Applicant(s)

STEWART ET AL.

Examiner

Oanh Duong

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- Paper No(s)/Mail Date 05/30/01, 07/16/02, 08/13/01, 05/06/02, 01/24/05
03/04/05, & 04/01/05.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-24 are presented for examination.

Claim Objections

2. Claims 1, 6, 7, 10, 11, 17, and 24 objected to because of the following informalities:

The features "XML" and "UML" should be defined in the claims 7, 10, 17, and 24

The feature "may be" in claim 10 should not be used.

Claim 1 recites the limitations "the exchange" in line 5, "the rules" in line 7, "said transfer of data" in lines 7-8, "the role" in line 8, "the transfer" in line 9, and "the definitions" in line 11. There are insufficient antecedent basis for those limitations in the claim.

Claim 6 recites the limitation "the flow" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "the workflow process" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "the rules" in line 24, "the role" in line 25, "the definitions" in line 2. There are insufficient antecedent basis for those limitations in the claim.

Claim 17 recites the limitation "the workflow process" in line 25. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear what applicant's intended metes and bounds of the claims are because the feature "allow a participant to send and receive data" does not cause any functionality to occur.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-6, 8-16 and 18-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Bellamy et al. (Bellamy) (US 6,944,655 B1).

Regarding claim 1, Bellamy teaches a collaboration system that allows the exchange of data between participants in an electronic commerce environment (Fig. 1), comprising:

a collaboration space defining the rules governing said transfer of data and the role of said participants (col. 3 lines 31-38, Bellamy discloses Genre definition includes rules of interaction and the specification of roles);

a collaboration hub for the transfer of data between participants (i.e., the software module genre client logic running the client communicates with the server via the network to enable the end-user to communicate with other operationally connected users, col. 12 lines 7-11); and

a hub transport that allows a participant to send and receive data from the collaboration hub in accordance with the definitions of the collaboration space (col. 5

lines 21-23 and 39-42, Bellamy discloses TCP/IP-based client/server service is provided in which users interact with each other via client applications wherein interaction of participants is governed by the interaction rules of the given genre).

Regarding claim 2, Bellamy teaches the collaboration system of claim 1 wherein each participant includes a collaboration enabler wherein said collaboration enabler includes a business logic specified by the participant (i.e., software module genre client logic, col. 11 lines 30-33).

Regarding claim 3, Bellamy teaches the collaboration system of claim 2 wherein the collaboration hub includes a business logic compatible with that of the collaboration enabler (i.e., genre server's logic, col. 8 lines 60-62).

Regarding claim 4, Bellamy teaches the collaboration system of claim 1 wherein the collaboration hub includes a data logic for intelligent transfer of data according to participant specifications (i.e., enabling user-defined structured styles of interaction, col. 3 lines 30-36).

Regarding claim 5, Bellamy teaches the collaboration system of claim 2 wherein said collaboration enabler includes an interface to a participant workflow process (i.e., col. 11 line 62-col. 12 line 5).

Regarding claim 6, Bellamy teaches the collaboration system of claim 5 wherein said participant workflow process determines the flow of data between the collaboration enabler and the collaboration hub (col. 11 line 66-col. 12 line 10).

Regarding claim 8, Bellamy teaches the collaboration system of claim 1 further comprising: a conversation manager for managing the flow of data between participants (i.e., a genre interaction handler 2070, Fig. 2 col. 8 lines 30-59).

Regarding claim 9, Bellamy teaches the collaboration system of claim 1 wherein the collaboration space is accessible via the Internet (i.e., network 1000, Fig. 1 col. 5 lines 55-57).

Regarding claim 10, Bellamy teaches clients and server are connected to the World Wide Web through which the client and server communicate (col. 5 line 53-col. 6 line 1). It is inherent that URL is included in the World Wide Web for server to be located in order to initiate a communication between clients and server

Claim 11 represents a method that is parallel to claim 1. Claim 11 does not teach or define any new limitation above claim 1 and therefore is rejected for similar reasons.

Claim 12 does not teach or define any new limitation above claim 2 and therefore is rejected for similar reason.

Claim 13 does not teach or define any new limitation above claim 3 and therefore is rejected for similar reason.

Claim 14 does not teach or define any new limitation above claim 4 and therefore is rejected for similar reason.

Claim 15 does not teach or define any new limitation above claim 5 and therefore is rejected for similar reason.

Claim 16 does not teach or define any new limitation above claim 6 and therefore is rejected for similar reason.

Claim 18 does not teach or define any new limitation above claim 8 and therefore is rejected for similar reason.

Claim 19 does not teach or define any new limitation above claim 9 and therefore is rejected for similar reason.

Claim 20 does not teach or define any new limitation above claim 10 and therefore is rejected for similar reason.

Regarding claim 21, Bellamy teaches the collaboration system of claim 1 further comprising a workflow directing the transfer of data between participants (col. 8 lines 30-60).

Regarding claim 22, Bellamy teaches the collaboration system of claim 21 wherein the workflow includes at least one flow lane for each participant and the action of the workflow is determined by data sent to and received from a first participant flow lane to a second participant flow lane (col. 8 lines 30-59).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7, 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellamy in view of Ambler et al. (Ambler) 9US 6,393,456 B1).

Regarding claim 23, Bellamy teaches the collaboration system of claim 22.

Bellamy does not explicitly teach the workflow is defined by an XML definition.

Ambler teaches system for transreceiving workflow specification (see abstract).

Ambler teaches the workflow is defined by an XML definition (col. 8 lines 43-45).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bellamy to define workflow (or genre definition) by using XML definition as in Ambler. One would be motivated to do so to provide a robust tool for specifying workflows (Ambler, col. 8 lines 43-46).

Claim 7 does not teach or define any new limitation above claim 23 and therefore is rejected for similar reason.

Claim 17 does not teach or define any new limitation above claim 7 and therefore is rejected for similar reason.

6. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bellamy in view of Ambler et al. (Ambler) 9US 6,393,456 B1), and further in view of Stefaniak (US 6,550,054 B1).

Regarding claim 2, Bellamy teaches the collaboration system of claim 23.

Bellamy-Ambler does not teach the XML definition is created by a UML modeler.

Stefaniak teaches the XML definition is created by a UML modeler (col. 8 lines 2-3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bellamy-Ambler to create XML definition by using a UML modeler as in Stefaniak. One would be motivated to do so to provide the capability of generating document type definitions of the modeling language-based representation, which

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enables transmission of the representation among modeling tools (Stefaniak, col. 2 line 1-4).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 2:00PM - 10:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.D
September 25, 2005


SALEH NAJJAR
PRIMARY EXAMINER